

REMARKS

The rejection of claims 1-17 under 35 USC 102(b) as being anticipated by Nel (2001-00002468) is respectfully traversed.

The interpretation of the data processing system in Nel '468 is not appropriate to the data processing system of the present invention. In order to clarify the distinction between the data processing system disclosed in Nel '468 and the data processing system of the subject invention, applicant has amended claims 1, 10 and 15.

In claim 1, the portable storage device stores in memory credit card usage information by the credit card user of all purchase transactions from each of the one or more credit cards. In contrast, the portable storage device referred to by the Examiner on page 4 of Nel does not teach writing and storing all purchase transaction information by the credit card user into the portable storage unit for each of the one or more credit cards.

Moreover, the second data processing device of claim 1 is under the control of the credit card user which is clearly not the case in Nel '468. Under no circumstances would an ATM machine be placed under the control of a credit card user. The card holder in Nel is limited to making a financial transaction using the ATM machine. The credit card user has no control over data processing in the ATM machine. Accordingly, claim 1 is clearly patentable over Nel and the rejection under 35 USC 102(b) should be withdrawn.

Likewise, the data processing method of claim 10 is to be used by a credit card user having one or more credit cards with the credit card user provided with a portable storage device for storing card usage information for each of said one or more credit cards used to make a purchase and with the credit card user in control of a transaction management process. In contrast, the storage device referred to in Nel on page 4 is not provided to the credit card user to be used independent of the credit cards and does not store credit card usage information for each of said one or more credit

cards when used by the card user to make a purchase nor is the credit card user in control of a transaction management process.

Similarly, in claim 15, the computer-readable recording medium is accessible to a credit card user and the transaction management program is under the sole control of the credit card user which is simply not the case in Nel. Moreover, in Nel the portable storage device does not store credit card usage information for each of the one or more credit cards of the credit card user when the credit card user makes a purchase. Accordingly, claims 10 and 15 are clearly patentable over Nel and the rejection under 35 USC 102(a) should be withdrawn.

Claims 2-9 depend from claim 1 and are therefore believed patentable for the same reasons as given above.

Moreover, for a rejection under 35 USC 102 to be proper, the cited reference must teach each feature in the claims.

Claim 1 has been amended to define the second data processing device as being under the control of the credit card user. Accordingly, the processor of the second data processing device in claim 3 is also under the control of the credit card user which is not the case in Nel '468 and Nel does not teach or suggest permitting the credit card user to execute a transaction management process based on the card usage information, etc.

Claim 4 is completely remote from the teaching of Nel which has no reference whatsoever to payment deadlines for the credit card user for making purchases. The same is true for claim 6 and claim 9, respectively.

Claims 11-14 are dependent claims, which depend from claim 10 and are believed to be patentable for the same reasons as given above relative to claim 10. Moreover, since the transaction management process is under the control of the credit card user, the remarks of the Examiner relative to the dependent claims 11-14 do not apply.

Claims 16-17 are dependent claims which depend from claim 15 and are therefore believed patentable for the same reasons as given above, with respect to claim 15. Moreover, since the transaction management program in claim 15 is under the sole control of the credit card user, the comments of the Examiner with regard to claims 16 and 17 do not apply.

For all of the above reasons, claims 1-17 are clearly Patentable over Nel '468 and the rejection therefore should be withdrawn.

Claims 18-20 are new, with claim 18 directed to a data processing device accessible for use by a credit card user having one or more credit cards for processing and managing credit card usage of the credit card user based upon credit card information stored in a rewritable non-volatile memory of a portable credit card device provided to said credit card user independent of said credit cards with the data processing device comprising a processor for running a read process to read card usage information from the portable credit card device for said one or more credit cards when used by the credit card user to make a card purchase.

The cited reference Nel '468 does not teach a data processing device accessible for use by a credit card user having one or more credit cards for processing and managing credit card usage of the credit card user based upon credit card information stored in a rewritable non-volatile memory of a portable credit card device provided to the credit card user independent of the credit cards.

Claims 19 and 20 are dependent claims which depend from claim 18 and are believed patentable for the same reasons.

Reconsideration and allowance of claims 1-20 are respectfully solicited.

Respectfully submitted,


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I hereby certify that this correspondence is being e-filed EFS Web to the
Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop
Amendment, on January 29, 2008.

Signed: 

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